



Janet Napolitano  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007  
(602) 771-2300 • [www.azdeq.gov](http://www.azdeq.gov)



Stephen A. Owens  
Director

## Notice of Granting License Notice of Appealable Agency Action

February 1, 2007

Mr. Michael A. Zito  
BySynergy L.L.C.  
15 Cultural Park Place  
Suite # 2  
Sedona, AZ 86336

Re: Bella Terra Wastewater Treatment Plant (WWTP)  
Aquifer Protection Permit (APP) Inventory # 105588, LTF # 35294

Dear Mr. Zito:

The Arizona Department of Environmental Quality's (ADEQ's) review of this application was subject to the requirements of the licensing time frames ("LTF") statute under Arizona Revised Statutes ("A.R.S.") § 41-1072 through § 41-1079 and the LTF rules under Arizona Administrative Code ("A.A.C.") R18-1-501 through R18-1-525. This Notice is being issued within the overall time frame for your application.

ADEQ hereby grants/approves your application for an Aquifer Protection Permit under A.R.S. 49-241. As a courtesy I am also enclosing the fact sheet and the final permit as it will be signed by the ADEQ Water Quality Division Director.

The public comment period for the APP began on September 29, 2006 and ended November 1, 2006. The comments received during the public comment period and the public hearing held on November 1, 2006, are summarized in the attached responsiveness summary. Pursuant to A.A.C. R18-9-109(C), ADEQ's responses to all comments submitted during the public comment period have been addressed in the responsiveness summary.

This decision is an appealable agency action under A.R.S. § 41-1092. You have a right to request a hearing and file an appeal under A.R.S. § 41-1092.03(B). You must file a written Request for Hearing or Notice of Appeal within **30 days** of your receipt of this Notice. A Request for Hearing or Notice of Appeal is filed when it is received by ADEQ's Hearing Administrator as follows:

Northern Regional Office  
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001  
(928) 779-0313

Southern Regional Office  
400 West Congress Street • Suite 433 • Tucson, AZ 85701  
(520) 628-6733

Judith Fought, Hearing Administrator  
Office of Administrative Counsel  
Arizona Department of Environmental Quality  
1110 W. Washington Street  
Phoenix, AZ 85007

The Request for Hearing or Notice of Appeal shall identify the party, the party's address, the agency and the action being appealed and shall contain a concise statement of the reasons for the appeal. Upon proper filing of a Request for Hearing or Notice of Appeal, ADEQ will serve a Notice of Hearing on all parties to the appeal. If you file a timely Request for Hearing or Notice of Appeal you have a right to request an informal settlement conference with ADEQ under A.R.S. § 41-1092.06. This request must be made in writing no later than **20 days** before a scheduled hearing and must be filed with the Hearing Administrator at the above address.

You will soon receive an invoice for the final bill or a refund check for an amount if any initial fee paid exceeds the billable costs for processing your permit application. The permit will be signed and mailed to you upon receipt of the payment for the final bill.

If you have any other questions, please feel free to give me a call at (602) 771-4578.

Sincerely,



Michele I. Robertson, R.G., Manager  
Groundwater Section  
Water Quality Division

cc: Asif Majeed, Manager, Wastewater, Recharge, & Reuse Unit, ADEQ  
Lynne Dekarske, Administrative Assistant III, Water Permits Section, ADEQ  
Kym Kneadler-Holloway, PPS II, ADEQ  
Evan H. Ted Curtis, Curtis Engineering for Santec Corporation

Enclosures (3)

WWR07:0078